

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

TIMOTHY DENVER GUMM,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION No.:
)	5:15-CV-41-MTT-CHW
)	
Warden BRUCE CHATMAN,)	
Superintendent RODNEY McCLOUD,)	
Deputy Warden WILLIAM POWELL,)	
and GDOC Field Operation Mgr)	
RICK JACOBS,)	
)	
Defendants.)	

**DEFENDANTS CHATMAN, McCLOUD, POWELL AND JACOBS' MOTION TO
DISMISS**

COME NOW, Bruce Chatman, Rodney McCloud, William Powell and Rick Jacobs, Defendants in the above styled case, by and through the Attorney General of the State of Georgia, and without waiving any defenses file this Motion to Dismiss pursuant to Federal Rules of Civil Procedure Rule 12(b) for failure to exhaust administrative remedies, failure to state a claim upon which relief can be granted, and immunity from Plaintiff's Complaint.

The basis for the motion will be set forth more extensively in the accompanying brief in support of the motion.

Respectfully submitted, this the 4th day of June, 2015.

SAMUEL S. OLENS 551540
Attorney General

KATHLEEN M. PACIOUS 558555
Deputy Attorney General

s/Devon Orland

DEVON ORLAND 554301
Senior Assistant Attorney General

s/Susan E. Teaster

SUSAN E. TEASTER 701415
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed **DEFENDANTS CHATMAN, McCLOUD, POWELL AND JACOB'S MOTION TO DISMISS and BRIEF IN SUPPORT THEREOF** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

NONE, PRO SE PLAINTIFF

I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

Timothy Denver Gumm
GDC No. 814227
Georgia Diagnostic and Classification Prison
P. O. Box 3877
Jackson, Georgia 30233

This the 4th day of June, 2015.

s/Susan E. Teaster
Georgia Bar No. 701415
Assistant Attorney General

Please Address All
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